



Policy 636

Participant Notification: Ineligibility and Termination from WIC

October 2, 2019

POLICY

Local programs shall notify WIC applicants and participants and inform them of ineligible status or termination from the WIC program.

PURPOSE

To ensure that WIC applicants and participants are fully informed of their program status within timeline designated by USDA regulation.

RELEVANT REGULATIONS

- ◆ 7CFR §246.7(h)—Mandatory and Optional Mid-Certification Actions
- ◆ 7CFR §246.7(i)—Certification Forms
- ◆ 7CFR §246.7(j)—Notification of Participant Rights and Responsibilities
- ◆ 7CFR §246.9—Fair Hearing Procedures for Participants
- ◆ OAR 333-053-0110—Administrative Review
- ◆ ORS 183—Administrative Procedures Act

OREGON WIC PPM REFERENCES

- ◆ [458—Appeals Process for Participants](#)
- ◆ [475—Waiting List](#)
- ◆ [590—Program Integrity: Participant Violations](#)
- ◆ [610—Required Proofs- Identity, Residency, Income](#)
- ◆ [635—Participant Notification: Eligibility, Rights and Responsibilities](#)

TWIST TRAINING MANUAL REFERENCE

- ◆ Chapter 3, Lesson 805 – Terminations/Ineligible

DEFINITIONS

Applicant: An individual who comes into the WIC clinic requesting WIC services.

Change in your WIC benefits: The “participant friendly” word for termination. Termination notices are called Change in Your WIC Benefits.

Participant: An individual who receives supplemental food benefits, an infant who does not receive supplemental foods but whose breastfeeding mother receives supplemental food benefits, or breastfeeding women who do not receive supplemental food benefits but whose infants receive supplemental food benefits.

PROCEDURE

Participant notice within 15 days of certification end date.

- 1.0 Notify the participant or caretaker no less than 15 days before the end of their certification period that their certification for the program is about to expire.
 - 1.1. Participant's first notification is on the ["Rights and Responsibilities"](#) form explaining that failure to keep recertification appointments may delay or stop WIC services.
 - 1.2. Written appointment reminder notices serve as the notification of the approaching expiration of certification and must be received by the participant at least 15 days before their certification period ends.

Documentation of ineligibility

- 2.0 When local program staff determine that an applicant is not eligible for WIC during the certification, give the applicant written notification. Notification must include the reasons for ineligibility and the applicant's rights to a fair hearing. Giving the applicant a copy of ["Notice of WIC Ineligibility," form 57-607](#) (available in English, Spanish, Arabic, Russian, Somali, Chinese and Vietnamese) meets this requirement.
 - 2.1. Document the reasons for ineligibility and that notification was given to the applicant in the participant's record. See TWIST Training Manual Ch 3, 805—Terminations/Ineligible.
 - 2.1.1. If notification is manually issued, the date of notification and reason for ineligibility must be documented in the participant's record.
 - 2.2. For applicants who cannot be served because the local program is operating at capacity, provide information about other potential sources of food assistance or put them on the waiting list. See Policy [◆475-Waiting List](#).
 - 2.3. Applicants with incomplete certification records in the WIC data system will be considered ineligible and the data system will produce an ineligibility letter at the end of the month if one was not printed initially. These must be sent to the participant within 30 days.

No ineligibility notice

- 3.0 Local programs need not give a written notice of ineligibility to individuals who call to request services and preliminary screening shows they do not meet income, residence, or categorical eligibility requirements.

Termination from the WIC program

- 4.0 Participants terminated from the program must be given written notice of their termination. To accomplish this, give the participant in person or by mail the:
 - ["Change in Your WIC Benefits", form 57-608](#) (available in English, Spanish, Arabic, Russian, Somali, Chinese and Vietnamese)

- 4.1. Participants may be terminated from the WIC program for the following reasons:
- 4.1.1. No longer eligible in their certification category.
EXAMPLE: A child turns 5 years old; a mother is six months postpartum and not breastfeeding; a breast-feeding mother is one year postpartum.
 - 4.1.2. No longer meets eligibility criteria: i.e., income above WIC income eligibility guidelines or no longer lives in the state of Oregon.
EXAMPLE: Three-year-old Joe Smith is brought in for a recertification visit, where it is determined he is no longer income eligible. His caregiver will be given a “Change in Your WIC Benefits” letter. Joe is eligible to receive benefits in the month his certification ends.
 - 4.1.3. Incomplete documentation (did not bring in proof of residence, income, or identity; infant not returned postpartum; certification not complete);
 - 4.1.4. Insufficient funds to serve participants at that priority level and local program is not serving that priority;
 - 4.1.5. Did not keep scheduled recertification appointments;
 - 4.1.6. Participant violation (refer to [◆590—Program Integrity: Participant Violations](#), for examples of participant abuse and further guidelines on when this may occur); or
 - 4.1.7. Voluntary drop—if the participant chooses not to sign the [“Participant Signature Form”](#) or decides to discontinue participation in the WIC program.
NOTE: Participants must sign the [“Participant Signature Form”](#) to receive WIC benefits, since the use of the data system is essential to issuance of WIC benefits and the system is integrated with other programs.

Documentation

- 4.2. Document the reason(s) for termination, that notification was given to the applicant, and the date of notification in the participant’s record.
- 4.3. If notification is manually issued, the date of notification and reason must be documented in the participant’s record. See TWIST Training Manual Ch 3, 805—Terminations/Ineligible.

Food Benefits

- 4.4. When a participant is terminated from the program, in most cases any food benefits remaining in their EBA for the current month will be retained for them to redeem. Exceptions to this are termination reasons:
 - Deceased

- Dual participation
 - Abuse of the program
 - Family does not use any of their benefits for 2 consecutive months.
- 4.5. Food benefits issued in the future will be removed from their EBA for all termination reasons.

Mid-certification eligibility assessment

- 5.0 The state WIC program does not do routine mid-certification eligibility assessments. However, local program staff will review eligibility if a participant notifies the program that there has been a change in income or residence. See [◆615—Income Eligibility: Change in Income](#) for more information.

EXAMPLE: Income change

Anna Norris calls her local WIC clinic to report she got a new job and is making considerably more money now. The clinic would determine if Ms. Norris is still income-eligible. If she were no longer eligible, she and other participating household members would be terminated from WIC, with appropriate notice (see ¶2.0 above).

No termination notice

- 6.0 Participants do not need to receive written notice of termination when:
- Participant does not receive benefits for two months in a row, and participant is automatically terminated by the WIC data system;
 - WIC family has not redeemed any benefits for two months in a row;
 - participant has moved out of state; or
 - participant has no forwarding address.

Data system produced termination and ineligibility notices

- 7.0 The WIC data system will review terminated participant records weekly to identify those without a notification date and will batch produce termination notices for those participants. At a minimum, these notices must be printed monthly and mailed to participants.
- 7.1. Participants who will be categorically ineligible will have ineligibility notices produced one month prior to their term date. These notices must be printed and mailed early enough to meet the 15 days prior to cert. end date notification requirement. They are identified as “Soon to Grad” notices in The WIC data system. (Exception to 15-day notice requirement- termination for incomplete documentation)
- 7.2. Notices in The WIC data system will remain until the 27th of the following month and then are removed.

Fair hearings

- 8.0 Inform the applicants and participants that they have the right to appeal the decision of the competent professional authority (CPA) by either contacting the local WIC

program coordinator or the state WIC program. (Refer to [◆458—Appeals Process for Participants.](#))

- 8.1. In case of such appeal, the local WIC program coordinator will review the participant's record to determine the appropriateness of the decision.

If you need this in large print or an alternate format, please call 971-673-0040.

This institution is an equal opportunity provider.

POLICY HISTORY

Date	* Major Revision, Minor revision
10/2/2019	Minor revision

The date located at the top of the policy is the implementation date unless an “effective date” is noted on the policy. Policies will become compliance findings 6 months from the implementation date.

Release notes can be found in the corresponding document on the [Policy and Procedure Manual page](#).

***Major Revisions:** Significant content changes made to policy.

Minor Revisions: Minor edits, grammatical updates, clarifications, and/or formatting changes have occurred.

Date of Origin: Date policy was initially released